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Attorney for Defendant  
ROBERT KIRBY WELLS

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
ROBERT KIRBY WELLS,  
  
Defendant.

Case No. 2:21-cr-0164-WBS

**STIPULATION TO CONTINUE STATUS  
CONFERENCE AND EXCLUDE TIME  
UNDER THE SPEEDY TRIAL ACT;  
FINDINGS AND ORDER**

**DATE: April 17, 2023  
TIME: 9:00 a.m.  
COURT: Hon. William B. Shubb**

Defendant, ROBERT KIRBY WELLS, by and through his  
undersigned counsel, and Plaintiff United States of America, by  
and through its undersigned counsel, hereby stipulate as follows:

1. By previous order, this matter was set for status on  
April 17, 2023, and time was excluded through April 17, 2023,  
pursuant to 18 U.S.C. § 3161(h)(7)(A), (B)(iv) (Local Code T4).

2. By this stipulation, the parties jointly request that  
the Court continue the status conference to May 8, 2023, at  
9:00 a.m. The parties further request that the Court exclude  
time under the Speedy Trial Act from April 17, 2023, through May  
8, 2023, pursuant to 18 U.S.C. § 3161(h)(7)(A), (B)(iv) (Local

Code T4).

3. The parties stipulate, and request the Court find the following:

a) Defense counsel has received 131,749 pages of discovery that include, among other things, investigative reports, financial records, and other business records, as well as the contents of two email accounts. Counsel for the defendant would like time to review the evidence, discuss resolution options, research sentencing issues, conduct independent factual investigations, and otherwise prepare for trial.

b) Counsel for defendant, ROBERT KIRBY WELLS, believes that failure to grant the above-requested continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

c) The government does not object to the continuance.

d) Based on the above stated findings, the ends of justice served by continuing the case outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

e) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et. seq., within which trial must commence, the time period of April 17, 2023, up to and including, May 8, 2023, is deemed excludable under 18 U.S.C. § 3161(h)(7)(A), (B)(iv) (Local Code T4), as it results from a continuance granted by the Court at the defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and defendant in a speedy trial.

1 IT IS SO STIPULATED.

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3 DATED: April 12, 2023

Respectfully submitted,

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6 /s/ William J. Portanova  
WILLIAM J. PORTANOVA

7 Attorney for Defendant  
8 ROBERT KIRBY WELLS

9  
10 DATED: April 12, 2023

PHILLIP A. TALBERT  
United States Attorney


11  
12 /s/ Matthew Thuesen

13 MATTHEW THUESEN  
14 Assistant United States Attorney

15 **FINDINGS AND ORDER**

16  
17 IT IS SO FOUND AND ORDERED.

18  
19 Dated: April 12, 2023

  
20 WILLIAM B. SHUBB  
21 UNITED STATES DISTRICT JUDGE  
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